

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

JUANITA WARD,

Plaintiff,

v.

MOST HEALTH SERVICES, INC., et
al.,

Defendants.

Civil Action No. 06-4646

ORDER

AND NOW, this 21st day of December 2009, upon consideration of the parties' Consent Motion to Vacate the January 6, 2009 Order of Dismissal and to Enter a Nunc Pro Tunc Consent Order of Dismissal, and for the reasons enumerated in the accompanying memorandum, it is hereby ORDERED as follows:

- (1) The Order entered in this case on January 6, 2009, by Magistrate Judge M. Faith Angell (docket no. 73) is VACATED;
- (2) Defendant Richard Barry Levine bargained for, and obtained, a general release. Pursuant to that release, which remains in full force, Dr. Levine has been released as to any and all past, present, and future claims that have been, could have been, or could in the future be brought by any person or entity with regard to damages and/or injuries arising out of the facts and incidents at issue in this case;
- (3) A CONSENT JUDGMENT, which was bargained for in the 2006 settlement agreement, as amended, between plaintiff and Most Health Services, Inc. and Most Healthcare Systems, Inc. ("the Most entities"), is entered in favor of plaintiff against the Most entities. Judgment shall be in the amount of \$3,000,000;

- (4) This case is DISMISSED WITH PREJUDICE pursuant to the agreement of counsel; and
- (5) Dismissal of this action shall not preclude plaintiff from enforcing her consent judgment with the Most entities by bringing suit against any and all insurers or underwriters, or agents of insurers or underwriters, who may have provided insurance, indemnity, or claims services to or on behalf of the Most entities.

BY THE COURT:

/s/Louis H. Pollak
Pollak, J.